

2002 No. 1830

EXTRADITION

**The European Convention on Extradition (Fiscal Offences)
(Amendment) Order 2002**

Made - - - - - *16th July 2002*
Laid before Parliament *26th July 2002*
Coming into force - - *27th August 2002*

At the Court at Buckingham Palace, the 16th day of July 2002

Present,

The Queen's Most Excellent Majesty in Council

Whereas the European Convention on Extradition (“the Convention”)(a), opened for signature by Members of the Council of Europe on 13th December 1957, entered into force for the United Kingdom on 14th May 1991;

And whereas the Second Additional Protocol to the Convention (“the Protocol”)(b) was opened for signature by Members of the Council of Europe which have signed the Convention on 17th March 1978;

And whereas on 6th June 1994 the United Kingdom became a party to the Protocol and accepted Chapter II of the Protocol;

And whereas it is now intended to extend the territorial application of the Protocol to the Channel Islands and the Isle of Man in relation to all the States parties to the Protocol;

And whereas Georgia ratified the Protocol on 15th June 2001 and made the reservations and declarations set out in article 2(4) of this Order;

Now, therefore, Her Majesty, in exercise of the powers conferred on Her by section 4(1) of the Extradition Act 1989(c), is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered as follows:—

1. This Order may be cited as the European Convention on Extradition (Fiscal Offences) (Amendment) Order 2002 and shall come into force on 27th August 2002.

2.—(1) The European Convention on Extradition (Fiscal Offences) Order 2001(d) is amended as follows.

(a) Cm. 1762.

(b) Cm. 2113.

(c) 1989 c.33.

(d) S.I. 2001/1453.

(2) For article 1(2) and (3) substitute:

“(2) The operation of this Order is limited to the United Kingdom, the Channel islands and the Isle of Man.”

(3) In Schedule 3 (which names the States parties to the Protocol which have accepted Chapter II), at the appropriate point in alphabetical order, insert “Georgia”.

(4) In Schedule 4 (which sets out the reservations and declarations made by States parties to the Protocol which have accepted Chapter II), at the appropriate point in alphabetical order insert—

“GEORGIA

In pursuance of Article 9, paragraph 2, Georgia declares that it does not accept Chapter V of this Protocol.

According to the legislation of Georgia, the competent body to review extradition cases is the General Prosecutor’s Office of Georgia. Herewith the use of the diplomatic channels for extradition cases is not excluded.

Georgia will not be responsible for the application of the provisions of the Protocol on the territories of Abkhazia and Tskhinvali region until the full jurisdiction of Georgia is restored over these territories.”

A. K. Galloway
Clerk of the Privy Council

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the European Convention on Extradition (Fiscal Offences) Order 2001 by extending the territorial application of the Second Additional Protocol to the European Convention on Extradition to the Channel Islands and the Isle of Man. This Order also takes account of Georgia which has ratified the Second Additional Protocol to the European Convention on Extradition and which joins the States parties to the Protocol listed in Schedule 3 to the 2001 Order. It also adds the declarations and reservations made by Georgia to the State parties’ reservations and declarations set out in Schedule 4 to the 2001 Order.

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